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Chair: Mr. Salvioli

Contents

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of Sweden (continued)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Seventh periodic report of Sweden (continued) (CCPR/C/SWE/7; CCPR/C/SWE/QPR/7)

1. *At the invitation of the Chair, the delegation of Sweden took places at the Committee table.*

2. **Sir Nigel Rodley** asked whether the new guidelines of the Swedish Prosecution Authority and the report of the all-party committee of inquiry were in public domain. He said that he would welcome detailed information on the contents of both.

3. **Mr. de Frouville** said that the Committee would appreciate a summary of the useful information the delegation had provided in writing about electroshock therapy. Given the small number of criminal proceedings instituted in cases of police brutality, he would be interested to know how it was determined whether a case would lead to disciplinary or criminal proceedings. Lastly, he requested information on the measures taken in the case of Daniel Franklert Murne and Sinthu Selvarajah, who had both died at the hands of the police.

4. **Mr. Olsson Fridh** (Sweden) said that the Equality Ombudsman, who played a crucial role in the Government's ongoing fight against discrimination, was responsible for supervising compliance with the Discrimination Act and promoting equal rights and opportunities. The Ombudsman investigated individual complaints and supervised the implementation of active measures in companies and educational establishments. For example, in 2015, the Ombudsman had supervised such implementation in 100 small companies and 100 educational establishments.

5. In 2013, a special inquiry had been opened with a view to increasing the efficiency of anti-discrimination measures and enabling victims of discrimination to exercise their rights. The inquiry would be completed on 16 December 2016. The Ombudsman's budget had been increased to SKr 10 million per year and the budget of local anti-discrimination offices had been increased to SKr 2 million per year as of 2016.

6. **Ms. Remaeus** (Sweden) said that the problem of vulnerable European Union citizens begging on the streets of Sweden had caught the Government unprepared. Municipalities and local authorities had not received sufficient guidance on how to handle the situation. In November 2015, there had been around 4,700 such persons, mostly from Romania and Bulgaria; around 700 of them were children. In January 2015, the Government had appointed a national coordinator responsible for facilitating cooperation between the relevant authorities in Sweden and in the countries concerned and for disseminating information about the rights of European Union citizens in Sweden. The coordinator had issued a report in February 2016, proposing the commissioning of a county administrative board to coordinate such work; the proposal was currently being considered.

7. The free movement of European Union citizens within the Union was a fundamental principle. European Union citizens with valid identity documents could stay in Sweden for a period of three months; persons wishing to stay longer had to fulfil certain conditions aimed at ensuring that they could support themselves financially. Those conditions included being employed or self-employed or being a jobseeker with realistic prospects of finding employment. According to the Social Services Act, municipalities were responsible for supporting all persons staying on their territory. However, Sweden had limited obligations vis-à-vis European Union citizens who failed to fulfil the above criteria and provided assistance only in the event of an emergency. Emergency assistance could consist of temporary accommodation, money for food and transportation to return to their country.

Such persons could request further assistance from and an individual assessment by the municipal authorities and could also appeal to the Administrative Court. Social authorities, which had the duty to ensure that all children grew up in safe and adequate conditions, helped any child in need of support or protection, regardless of the latter's residence status.

8. Most Romanian and Bulgarian citizens who begged on the streets of Sweden did not have health insurance and therefore had to pay for basic health care. In April 2015, the National Board of Health and Welfare had published information on its website explaining that vulnerable European Union citizens staying in Sweden for longer than three months without a residence permit could occasionally be covered by the Health and Medical Services Act. Under the Act, persons staying in Sweden illegally had the right to receive health care that could not be postponed. Children of such persons had the same right to health care as other children living in the country. Although children without a residence permit did not have the right to education, municipalities were not prevented from allowing such children to attend school. Under the law, no one was allowed to live in other public places, such as parks, or on private land for more than two nights. In 2015, a total of 230 applications for eviction from illegal settlements had been submitted. Begging was not a crime in Sweden and the Government in any case did not consider the use of legal measures against people in need as a solution to the problem of begging.

9. **Mr. Hellström** (Sweden) said that there were no provisions specifically regulating the concept of data mining in the Signals Intelligence Act or in other legislation on surveillance. However several Acts regulated the intelligence activities of the National Defence Radio Establishment, whose operations were subject to comprehensive limitations and could only be carried out for certain purposes, such as to map foreign military threats to Sweden. Signals intelligence must be targeted at signals identified in specific search terms which fully respected the right to privacy. Terms targeting specific persons could be used only if they were of great importance to the operations; prior authorization of the Foreign Intelligence Court was required in order for any operation to be conducted.

10. As the main body supervising foreign and signals intelligence, the Foreign Intelligence Inspectorate could, upon request, check whether individuals had been the subject of an intelligence operation; if they had, the Inspectorate verified that the operation had been carried out in accordance with the law and informed the individuals concerned of their findings. In 2014, the Inspectorate had carried out 12 such checks; about the same number of checks had been carried out in the years prior to 2013. In 2013, 62 checks had been carried out as a result of heavy media reporting on the possibility of requesting such checks. The Government reported yearly to the Parliament regarding the operations of the Inspectorate and other oversight mechanisms.

11. Under the Discrimination Act, discrimination was prohibited on seven grounds. There were currently no plans to ratify Protocol No. 12 to the European Convention on Human Rights, or to amend chapter 16, section 9, of the Penal Code, containing a regulation on unlawful discrimination. The Ombudsman's annual budget was SKr 108 million and that of local and regional anti-discrimination bureaus and offices was around SKr 14 million.

12. **Ms. van Rooij** (Sweden) said that detention first had to be requested by a prosecutor and then assessed by a district court to determine whether there were sufficient grounds to believe that a crime had been committed. That court's decision could be appealed to the Court of Appeal and then to the Supreme Court. Only once such court proceedings had been completed could a European arrest warrant be issued by the prosecutor; such safeguards were considered sufficient.

13. The new guidelines of the Prosecution Authority, which were indeed in public domain, made it clear that, in each case, a careful assessment had to be made of whether

there was a considerable risk of the suspect tampering with the evidence. If such a risk existed, a prosecutor had to examine whether that risk justified deprivation of liberty. If it did not, that risk could not be invoked as grounds for detention.

14. **Mr. Sjölinder** (Sweden) said that he would provide the Committee with an English summary of the report of the all-party committee of inquiry, which had proposed to establish an independent joint agency under the Government to scrutinize the police and the Prison and Probation Service. Any complaint concerning the use of excessive force by a police officer had to be examined by a senior prosecutor. If a police officer was suspected of having committed a criminal offence, a standard criminal procedure took place. The police investigation department would investigate the case with the prosecutor's guidance. Other types of misconduct could lead to disciplinary sanctions and were dealt with by the police investigations department, with the final decision taken by the police disciplinary board.

15. With regard to the two cases of police violence raised by civil rights defenders, he expressed regret about the death of two persons as a result of the use of firearms by police. He was not in a position to make further comments on the case of Daniel Franklert Murne as it was the subject of an individual complaint submitted by human rights defenders, or on the case of Sinthu Selvarajah, as the criminal investigation into the case had been reopened. The Committee would be informed of the investigation's outcome once available.

16. **Ms. Evelius** (Sweden) said that electroshock therapy was a type of treatment in which seizures were electrically induced in patients to provide relief from psychiatric illness. The treatment normally required the patient's informed consent and was used as the last resort for treating major depressive disorders, mania or catatonia. The effects of such therapy had proved to be stronger and faster than those of medication — an important consideration in the presence of severe symptoms such as suicidal thoughts or hallucinations. Clear guidelines existed for the use of electroshock therapy in Sweden and worldwide, including those published by the Swedish Psychiatric Association in 2014; furthermore, in 2011, the National Board of Health and Welfare had also published guidelines on informed consent in the use of such therapy.

17. In 2011, Sweden had established a national quality register on electroshock therapy, which covered 89.3 per cent of all such treatments. The register included individual data on health problems, reasons for the use of electroshock therapy, actions taken and outcomes. In 2014, the register had included 4,103 patients, of whom 63 per cent were women. About 80 per cent of the patients had received electroshock therapy as treatment for depression. Some 45 per cent had fully recovered from their original condition; 76 per cent had improved; and 0.3 per cent had got worse or much worse following the treatment. Around 17 per cent of patients had suffered memory impairments as a side effect. The Health and Social Care Inspectorate was the government agency responsible for supervising all health care, including electroshock therapy.

18. **Ms. Jelić** asked whether the National Mediation Office had completed its analysis of the design of central collective agreements from a gender equality perspective and, if so, whether its findings had been published. She requested statistics on the gender pay gap and noted with concern that the concept of pay as set out in Directive 2006/54/EC of the European Parliament and of the Council was not defined in Swedish law. Noting that it was left to courts to rule on whether differences in pay were justified, she said that salaries should be regulated by law or through collective agreements. She wished to know whether the prohibition of direct discrimination contained in the Discrimination Act covered pregnancy and maternity discrimination, whether national courts were responsible for adjudicating on cases involving such discrimination and, if so, how many cases had been tried.

19. It would be useful to receive information, including statistics, on the situation with regard to violence against women and children, especially domestic and sexual violence, marital rape and violence in the workplace. Any information on the findings of the commissions of inquiry mentioned in paragraphs 93 and 96 of the periodic report (CCPR/C/SWE/7) would also be appreciated.

20. She asked what measures were planned to tackle prostitution and human trafficking for sexual purposes aside from those outlined in paragraph 97 of the report; whether any statistics were available from investigations into trends in prostitution; and whether the action plan for protecting children from human trafficking, exploitation and sexual abuse had been evaluated and what measurable results it had achieved. The State party should clarify whether the cross-agency training programmes for staff in the justice system were ongoing and should furnish details as to the outcome of programmes to support the rehabilitation of victims of human trafficking for sexual purposes and prostitution.

21. Turning to the issue of child sex tourism, she invited the delegation to elaborate on the role of the former National Bureau of Investigation and on the tangible results of the programme to combat the sexual abuse of children by Swedes abroad. She asked whether the special training courses for police officers at local and regional level had led to an improvement in the situation of berry pickers on the ground and requested statistics on violations of labour law in the berry-picking sector. Detailed information on the results achieved by the National Homelessness Coordinator would also be welcomed.

22. **Mr. de Frouville** enquired about the measures that had been taken to facilitate the integration of migrants, particularly in the area of employment, and asked whether refugees and other persons eligible for subsidiary protection who had been granted temporary residence permits had a right to family reunification. He further asked whether it was true that alternatives to detention were rarely used in the case of migrants and, if so, why.

23. He said that he wished to know why the European Return Platform for Unaccompanied Minors had not been renewed and what conclusions had been drawn by the Government, including with regard to the notion of internal asylum. Noting reports that around 2,000 unaccompanied minors had recently gone missing in Sweden and concerns that they might be targeted by human trafficking rings, he asked whether investigations had been launched into possible criminal activity in that regard and, if so, what had been the outcome.

24. He would appreciate additional information on the new disability policy that was set to be introduced in 2017. In particular, the delegation should describe how the policy would enhance access to education, employment and justice. He asked whether it was true that the employment rate of persons with disabilities had fallen to a historic low of 44 per cent and, if so, how the situation was compatible with the assertion in the periodic report that the number of persons with disabilities who accessed subsidized jobs had been increasing. He also wished to know what was being done to incorporate a disability perspective in policies and programmes to prevent violence against women and children.

25. **Sir Nigel Rodley** asked how the procedures in place for security cases differed from standard deportation procedures, why they were necessary and whether they involved a more extensive use of detention. Referring to paragraph 139 of the report, he said that the information in question had been supplied by Amnesty International and by the United Nations High Commissioner for Human Rights, and requested the delegation to confirm that the relevant authorities had conducted an individual examination of the grounds for asylum in every case in which Iraqi nationals had been involuntarily repatriated.

26. **Mr. Fathalla** invited the delegation to provide a more comprehensive response to the Committee's enquiries about plans to combat hateful online messages directed at Muslims, Afro-Swedes, Roma and Jews, and about the effectiveness of the measures that

had been taken to curb hate speech and hate crime in general. He said that the delegation should clarify whether such measures were applied throughout the country. He also wished to know whether the special hate crime groups referred to in the periodic report had been set up and whether the Government had reviewed the need for a national knowledge and resource centre on racism. He requested the delegation to comment on the fact that only 5 per cent of the complaints of hate crime filed in 2013 had led to legal action by April 2015 and to describe the role played by the Chancellor of Justice in handling those complaints.

27. He would welcome information on the steps being taken to guarantee equal enjoyment of the right to freedom of religion and belief, on efforts to review school textbooks to remove any discriminatory content about minorities and on the measures that had been taken or were envisaged to address the negative portrayal of Muslims in the media.

28. **Mr. Shany** asked the delegation to clarify whether only those European Union citizens who had lived in Sweden for an uninterrupted period of at least 12 months qualified as residents for purposes of obtaining social benefits.

29. He would be interested to know the status of the negotiations on a Nordic Sami convention, which were expected to conclude shortly, and whether there were plans to revisit the bill on Sami policy. In the light of reports that the State was required only to inform, and not meaningfully consult with, Sami people in connection with projects involving the exploitation of natural resources, he asked the delegation to clarify the scope of the duty to consult under the 2009 Act on National Minorities and Minority Languages and the 2014 amendment to the Minerals Ordinance. The delegation should also comment on claims concerning a lack of adequate compensation for the harm caused by mining activities in, for example, Kiruna. He would also welcome its comments on reports indicating that current funding levels for the Sami Parliament prevented it from operating in an independent and effective manner. He asked whether it was the case that Sami involved in reindeer husbandry generally enjoyed stronger legal protections than other members of their group. Regarding the demarcation of reindeer grazing areas, he wished to know the status of the 2006 report of the Boundary Commission, which had yet to be implemented. Referring to paragraph 173 of the periodic report, he said it was difficult to understand why, even in cases involving serious issues with a group-wide dimension, legal aid could be granted only to individuals. He would also like to know the delegation's position on the requirement that written documents should be produced in court cases involving indigenous peoples, even though such documents were not readily available. Lastly, he asked whether the Government was considering establishing a truth commission to investigate the historical treatment of the Sami people and taking action to ensure the preservation of Sami cultural heritage.

The meeting was suspended at 11.30 a.m. and resumed at 11.55 a.m.

30. **Mr. Olsson Fridh** (Sweden) said that his Government's efforts to prevent and combat violence against girls and women had contributed to a greater awareness of the problem, to enhanced coordination within and between the agencies involved and to a clearer focus on high-risk groups, such as women with disabilities and women with addiction problems. Since the entry into force in 2005 of new legislation on sexual crimes, the authorities had taken a number of legislative measures to increase the criminal protection of women from violence and harassment. Evaluations carried out from 2007 onward had shown that there was a need for more preventive work and a more even distribution of support measures across the country.

31. An effective returns policy was high on the Government's political agenda. In order to achieve an asylum system that was sustainable in the long term, asylum seekers who were found not to be in need of protection had to return to their country of origin. However, it was essential that asylum policies should be implemented with full respect for the

principle of non-refoulement and the fundamental rights, freedom and dignity of the individual returnees. The main objective was to provide a humane process of assisted returns that respected the primacy of voluntary return and took account of the importance of safe, dignified and sustainable return.

32. As online hate crime was a problem that transcended national borders, it was necessary to work in close cooperation with neighbouring countries, in particular other members of the European Union, to develop effective prevention strategies. In that connection, in June 2015, the Government had commissioned the Swedish Media Council to develop the "No Hate Speech" campaign. The campaign sought to prevent racism, sexism, xenophobia and other forms of intolerance and included initiatives to safeguard democracy against extremism and radicalization by improving the media and information literacy of young people. Although it was still too early to evaluate fully the impact of the campaign, initial assessments had been positive.

33. Negotiations on a Nordic Sami convention were ongoing. Although the initial March 2016 deadline for an agreement would not be met, he was confident that there would be a successful conclusion to the negotiations by the end of the year. The convention would clarify a number of the issues that had been raised by Committee members, such as land rights and compensation claims. The Government did not intend to proceed with the proposed bill on Sami policy following its rejection by representatives of the Sami people. Instead, it was, together with community representatives, exploring other ways to move policy forward with a view to enhancing the influence of the Sami people through self-determination. Funding for the Sami Parliament had been strengthened, and the State grant for Sami culture had been increased for the first time since 1993. The Equality Ombudsman and the Sami Parliament had begun to give consideration to establishing a truth commission that would, among other things, raise awareness of the suffering of the Sami people throughout history. As to the preservation of cultural heritage, the Government had invited the Sami Parliament and other relevant institutions to contribute to the drafting of a bill in that regard.

34. **Ms. Bengtson** (Sweden) said that, as part of measures to prevent and combat violence against women, health-care professionals had received guidance on how to detect signs of abuse and provide appropriate treatment for victims. Indicators had been developed to assess the quality of victim shelters and their compliance with national regulations. In addition, State funding for women's shelters run by voluntary organizations had been increased.

35. As to training for criminal justice system personnel, the Prison and Probation Service had run programmes for bilingual staff members working with non-Swedish speaking clients in their services.

36. In 2014, Swedish women had earned approximately 13.2 per cent less than men. While that gap could be explained in part by the fact that women and men tended to work in sectors that were associated with different pay levels, other causes, including perhaps pay discrimination, were difficult to explain through available statistics. The results of the survey carried out by the National Mediation Office had, among other things, shown that wage development had been strongest in gender-balanced white-collar occupations.

37. **Ms. Olausson** (Sweden) said that the Equality Ombudsman had taken legal action against several employers in cases involving discrimination on grounds of pregnancy.

38. **Mr. Sjölinder** (Sweden) said that the inquiry tasked with evaluating the application of criminal provisions relating to human trafficking and reviewing the scale of penalties for the purchase of a sexual act from a child was expected to issue its findings by 9 June 2016. The national action plan against prostitution and human trafficking for sexual purposes, which had ended in December 2010, had been judged a success. Among other things, it had

helped to significantly increase awareness of the issues involved among public officials and civil society. The Government was currently preparing an action plan for the period from 2016 to 2018 that would include a series of specific measures aimed at protecting children from trafficking and sexual exploitation. Training programmes on those issues had been developed for officials working in the criminal justice system. Furthermore, the creation of a single national police authority in 2015 was likely to lead to more effective implementation of anti-trafficking policies.

39. The County Administrative Board in Stockholm was developing a national support programme for victims of trafficking in cooperation with the European Union Civil Society Platform against trafficking in human beings that would include measures to ensure the quality of established procedures. A manual had also been produced in collaboration with all stakeholders with a view to developing a more uniform approach to dealing with trafficking cases.

40. As part of measures to combat child sex tourism, the authorities were seeking to enhance international cooperation, in particular with countries in South-East Asia, and to encourage the reporting of cases by the general public, including tourists in areas where the problem was prevalent. Steps had also been taken to combat online sexual crimes involving children.

41. As to hate speech, the Government was planning additional legislative measures to tackle the problem and seeking to further enhance cooperation with social media platforms. Capacity to deal with online hate speech had been strengthened thanks to the establishment of a cybercrime centre. He confirmed that special hate crime investigative units had been set up in a number of urban areas.

42. **Ms. Remaeus** (Sweden) said that the National Homelessness Coordinator had reported that the housing market was not properly balanced. Action was therefore being taken to stimulate the building of more housing. The National Board of Health and Welfare would carry out a survey in 2017 to determine the number of homeless people. As for the unaccompanied minors who had disappeared, the County Administrative Board was conducting a survey to analyse the situation and introduce preventive measures. With regard to violence against women with disabilities, she said that such women had long been invisible, but their situation was receiving more attention. The National Board of Health and Welfare had launched a campaign entitled "Looking the Other Way" and efforts were being made to integrate women with disabilities into all programmes relating to women, as well as disability programmes. Further targeting was needed, however.

43. The situation with migrants from the European Union was that, for the first three months of their stay, they were treated as visitors, but subsequently they had to meet certain conditions: they had to be employed or self-employed, or have a realistic prospect of work. Students and others not working were required to support themselves.

44. **Ms. Peyron** (Sweden) said that the planned law on asylum and migration, which would be in force for three years, would apply when decisions on residence permits were taken during that period. As for family reunification, refugees would continue to be allowed to reunite with their spouses, partners and children under 18. Persons granted subsidiary protection would also have the right to family reunification if they had applied for asylum before 24 November 2015.

45. Detention was used only as a last resort, if less coercive measures could not be applied. Supervision was used wherever possible, in accordance with the handbook issued by the Swedish Migration Agency. The prison service and the police were considering how supervision could be used more often. She wished to emphasize that, whether a migrant's return was voluntary or not, the principle of non-refoulement was always respected and parents were helped to trace missing children. Travelling costs were met by the Migration

Agency and deportees could apply for re-establishment support. Although the European Return Platform for Unaccompanied Minors project, which aimed to ensure that migrants were returned to their countries of origin with dignity, had ended in 2014, a division of the Migration Agency still engaged in cooperation activities with the countries of origin and international organizations.

46. There was a clear regulatory framework regarding the exploitation of workers, setting out guidelines on salaries and other matters. New measures had been introduced in August 2014, but, since the Government considered the matter a priority, in July 2015 it had set up a further inquiry to review and improve the protection of labour migrants.

47. No diplomatic assurances had been used since 2001. Two pieces of legislation applied in security cases, the Aliens Act and the Aliens Control Act. Under the latter, appeals were handled by the Government, although an opinion was always submitted by the courts concerning possible impediments to the execution of a deportation. Action to return Iraqis was taken in accordance with the relevant international conventions and the rules of the Aliens Act. All cases were considered individually and the Government closely followed developments in the relevant countries.

48. **Ms. Zeland** (Sweden) said that the Government's measures to facilitate access to work had consisted of action to provide newly arrived migrants with more training, subsidized jobs and complementary education and work placements. The Introduction Act had been adopted in 2010 to speed up the introduction of newly arrived migrants and persons with residence permits who needed protection. The Public Employment Service engaged in dialogue with migrants to establish their educational background, previous work experience and need for training. Migrants could draw a benefit for up to two years. Individualized introduction plans included preparation for employment, Swedish language classes and civic orientation courses to foster their understanding of Swedish society. The 2016 budget contained a number of initiatives to improve migrants' access to the labour market, including fast-track procedures for newly arrived immigrants proficient in an area where there was a shortage of qualified staff. The fast-track procedure had originally applied to doctors, pharmacists and dentists but had since been extended to teachers and even butchers. The situation was paradoxical: unemployment was high but so was the number of vacancies. Many jobseekers lacked a secondary education, which was a requirement for most jobs in Sweden. The Government had therefore invested in better job-matching skills and developed measures to deal with long-term unemployment and to help people who had a reduced work capacity.

49. **Ms. Lindahl** (Sweden) said that persons with disabilities, especially those with reduced work capacity, faced particular difficulties in the labour market. The number of persons with disabilities registered with the Public Employment Service who obtained employment or regular education or training had increased between 2013 and 2014, the increase being greater among men than among women. Employers who hired persons with disabilities received financial subsidies. In 2014, an average of 93,000 persons with disabilities had been in subsidized or sheltered employment. Under the 2016 budget, the Government had invested SKr 300 million in Samhall, a State-owned company that provided work for persons with disabilities. Such persons were provided with individualized support to find work and then further assisted during their first days at work. The programme would be strengthened through a review of wage subsidies and individuals would be encouraged to develop their working capacity.

50. It had been found that additional grants for children needing special support were applied too restrictively. The Government had therefore clarified the criteria and would give individual education providers special support. The Government was preparing a new policy on disability, based on the Convention on the Rights of Persons with Disabilities.

One of the proposed measures was the establishment of a group of State secretaries to include the disability perspective in all the relevant ministries.

51. **Ms. Stenson** (Sweden) said that, since freedom of religion was an absolute right under the Constitution, measures to combat hate crime on the grounds of a person's belief were a priority. Discrimination on the grounds of religion or belief was prohibited under the Discrimination Act. Hate speech alluding to religious belief was punishable as agitation against a national or ethnic group and to disturb a public religious service or devotional exercise was also punishable. Religious belief as a hate motive was considered an aggravating circumstance when an offence was committed. The Government regularly consulted representatives of religious communities. It had also allocated funds for which religious communities could apply to improve their security. In addition, following the terrorist attacks in Paris and Copenhagen in 2015, the Swedish Police Authority had strengthened security measures and surveillance around religious buildings and sites. The measures taken depended on the latest assessment of the threat and risk level.

52. With regard to negative stereotypes in the media, she said that a person responsible for a publication could be held accountable for its contents, if a criminal offence was involved, such as incitement to hatred of a national or ethnic group. The press and television engaged in self-regulation, issuing guidelines on news reporting, so that the sex, ethnic origin, occupation, religious or political belief or sexual orientation of a person was not mentioned, if it was not relevant.

53. The requirement on teaching aids was that they must be up to date and must respect the human rights and democratic values of Sweden. It was up to organizers of education to ensure that teaching aids were in line with government policy and the curriculum. The National Agency for Education ran campaigns against xenophobia and similar intolerance in schools and the Schools Inspectorate carried out regular monitoring.

54. **Mr. Hellström** (Sweden) said that the Reindeer Husbandry Act regulated reindeer herding but also protected the right to the use of land and water by a Sami individual and his or her reindeer and to hunting and fishing privileges. The use of land that might jeopardize reindeer husbandry was prohibited. Where disputes arose, appeals could be taken to the Boundary Commission. The amount of legal action taken had decreased, so the Commission might be having some effect. Legal aid was provided for persons earning less than SKr 260,000 a year. Such aid covered part of a person's legal costs, including up to 100 hours of work by legal representatives. Many Sami villages had signed up for legal aid with insurance companies.

55. With regard to the question of the burden of proof, the European Court of Human Rights had ruled that the burden of proving their right to winter grazing was not fair on the Sami villages concerned: the landowner had to show title. As for the issue of permitting mining operations, a three-step process was required under a recent revision of the Minerals Act. Before mining could start, consultations had to be carried out with Sami villages, the relevant documents had to be in the Sami language and the proposed plan of operations had to be submitted to the Sami Parliament. Villages could make special conditions. Compensation was achieved through negotiations with landowners, but, where no agreement was reached, it was for the Mining Inspectorate to rule on a claim. All holders of rights — to hunting and fishing, as well as reindeer herding — were entitled to be consulted. Where a whole village was threatened by mining activities, everyone, both Sami and non-Sami, had the right to be consulted and compensated.

56. **Mr. Olsson Fridh** (Sweden) said that the Committee's comments enabled States parties to perform better. Its concluding observations would form an integral part of the Government's policies and would be published. Sweden would always respect its international obligations and maintain a human rights stance in its foreign policy.

57. **The Chair** said that Sweden had achieved much, but it was the Committee's task to help it do even better. The dialogue had been most useful. He commended the State party's feminist approach, since there were no human rights without women's rights. The Committee's only difficulty was the State party's reservations to the Covenant. The State party must also ensure that counter-terrorism activities were consistent with its human rights obligations. On its treatment of migrants, Sweden was showing the way and he hoped that the European Union would endorse its actions. He welcomed the State party's intention of ratifying the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169).

The meeting rose at 1.10 p.m.